



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



429490

REPLY TO THE ATTENTION OF:

Via Regular Mail

May 29, 2002

Mr. Peter Benjamin, Lake County Auditor
County Government Center
3rd Floor, Building A
2293 North Main Street
Crown Point, Indiana 46307

Mr. Paul G. Karras, Lake County Assessor
County Government Center
2nd Floor, Building A
2293 North Main Street
Crown Point, Indiana 46307

Ms. Peggy Holinga Katona, Lake County Treasurer
County Government Center
3rd Floor, Building A
2293 North Main Street
Crown Point, Indiana 46307

Re: Former Gary Development Company Landfill
479 North Cline Avenue, Gary, Indiana

Dear Mr. Benjamin, Mr. Karras and Ms. Katona:

This letter serves to inform you that the United States Environmental Protection Agency (U.S. EPA) is currently conducting limited emergency removal activities in a two acre area at the four abandoned buildings at 479 North Cline Avenue, Gary, Indiana (the Site), which is the street address of the former 55-acre landfill that operated at that location. U.S. EPA is conducting the removal activities pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq. This letter also requests that you provide U.S. EPA with certain information regarding the Site.

It is our understanding that two parcels that are part of the former landfill's business are being offered for sale by Lake County to the public in separate tax sales. The tax identification numbers associated with these two parcels are 25-40-0152-0012 (470 North Cline Avenue) and

25-40-0152-0008 (200 N. Blaine). I have attached the legal descriptions for these parcels. Parcel 1 is the number associated with the property located at 470 N. Cline Avenue. We understand that the current owner of Parcel 1 is Gary Development Company, a dissolved corporation. Further, we understand the current owner of the other parcel (tax identification - number 25-40-0152-0012) is Lake County. *It is critical that any prospective purchaser of these parcels be made aware that portions of the Site were used for the disposal of hazardous substances and U.S. EPA is currently conducting limited removal activities at the Site pursuant to CERCLA.*

U.S. EPA is currently stabilizing a small number of drums of hazardous substances and pollutants at and near the buildings at the Site and is planning to dispose of the drums and certain other containers of hazardous substances and pollutants that are in the buildings or immediately adjacent to the buildings. The attached pollution reports describe the removal activities that have been conducted. The extent of future removal activities is unclear at this time. It is also unclear whether both parcels identified above are involved in the current removal activities. We are in the process of identifying certain physical features on the parcels so that we may ascertain which parcels are involved in the current removal action. U.S. EPA will continue to keep you informed as to the removal activities at the Site.

Pursuant to Section 107 (l)(1), all response costs and damages for which a person is liable to the United States under Section 107(a) of CERCLA constitute a lien in favor of the United States upon all real property which belongs to that person and is subject to or affected by the response action. A purchaser who qualifies as a bona fide prospective purchaser could still be subject to a windfall lien pursuant to Section 107(r) of CERCLA if U.S. EPA's response action increases the fair market value of a facility. Accordingly, U.S. EPA may be taking steps in the future to file a notice of a lien with respect to any parcel where U.S. EPA incurs response costs. Before perfecting such a lien, in almost all circumstances, U.S. EPA would first send a notification to the property owner indicating the agency's intention to perfect a lien and provide the property owner with an opportunity to meet with the agency to discuss the agency's intention to perfect such a lien.

I understand that each of your offices may be involved in the tax sales of these parcels. In order to assess the situation at the Site, I would appreciate your assistance in providing me with the following information:

- (1) the most recent property tax assessment record or a copy of the most recent appraisal of the two parcels identified above;
- (2) a statement of the outstanding values/amounts of any state and local government liens on these parcels; and
- (3) a statement of any costs that are being incurred by the county to bring the parcels to applicable federal, state and local health and safety standards.

Please send your response to this letter to my attention at the above address within 30 days of your receipt of this letter. Please use my mail code, C-14J, when responding.

Thank you for your attention to this matter. If you have any legal questions regarding this matter please contact me at (312) 886-0510 or if you have any questions regarding the removal activities, you may contact Anita Boseman, U.S. EPA, On-Scene Coordinator, at (312) 886-6941.

Sincerely,

A handwritten signature in black ink, appearing to read "Randa Bishlawi". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Randa Bishlawi
Associate Regional Counsel

Encls. (3)

c.c. Jim Hughes, President, SRI Inc.
Anita Boseman, SE 5-J
Debbie Regel, SE5-J

1.2 LEGAL DESCRIPTION

The Site property consists of two parcels, Parcel 1 and Parcel 2. The legal description for these two parcels is as follows:

Parcel 1:

That part of Government Lot Four (4) which is the west half of the southwest quarter of Section 35, lying north of the Grand Calumet River in Township 37 North, Range 9 West, of the 2nd Principal Meridian, in the City of Gary, Calumet Township, Lake County, Indiana, more particularly described as beginning at a point in a line that is parallel to and 100 feet south of the north line of said Section 35, measured at right angles thereto, said point of beginning being 994.62 feet east of the west line of said southwest quarter measured along said 100 foot parallel line; thence continuing eastward on said 100 foot parallel line 343 feet, more or less to the east line of Government Lot 4; thence south on said east line of Government Lot 4, 1563 feet more or less to the north bank of Grand Calumet River; thence northwest ward along the north bank of Grand Calumet River to a line that is parallel to and 884.62 feet east of the west line of said southwest quarter measured parallel to the north line of said southwest quarter; thence north on said 884.62 foot parallel line 1250 feet more or less to a point that is 301 feet south of the north line of said southwest quarter; thence northeasterly on a straight line 226.60 feet to the point of beginning.

Parcel 2:

All that part of Government Lot Three (3) in Section 35, Township 37 North, Range 9 West, of the 2nd Principal Meridian, in the City of Gary, Lake County, Indiana bounded as follows: On the west by west line of said Government Lot 3; on the north by a line 100 feet south of and parallel to the north line of the southwest quarter of said section, on the easterly side by the westerly and southwesterly line of the Elgin, Joliet and Eastern Railway Company's right-of-way, as now located, and on the southerly side by the northerly bank of the Grand Calumet River.

1.2 LEGAL DESCRIPTION

The Site property consists of two parcels, Parcel 1 and Parcel 2. The legal description for these two parcels is as follows:

Parcel 1:

That part of Government Lot Four (4) which is the west half of the southwest quarter of Section 35, lying north of the Grand Calumet River in Township 37 North, Range 9 West, of the 2nd Principal Meridian, in the City of Gary, Calumet Township, Lake County, Indiana, more particularly described as beginning at a point in a line that is parallel to and 100 feet south of the north line of said Section 35, measured at right angles thereto, said point of beginning being 994.62 feet east of the west line of said southwest quarter measured along said 100 foot parallel line; thence continuing eastward on said 100 foot parallel line 343 feet, more or less to the east line of Government Lot 4; thence south on said east line of Government Lot 4, 1563 feet more or less to the north bank of Grand Calumet River; thence northwest ward along the north bank of Grand Calumet River to a line that is parallel to and 884.62 feet east of the west line of said southwest quarter measured parallel to the north line of said southwest quarter; thence north on said 884.62 foot parallel line 1250 feet more or less to a point that is 301 feet south of the north line of said southwest quarter; thence northeasterly on a straight line 226.60 feet to the point of beginning.

Parcel 2:

All that part of Government Lot Three (3) in Section 35, Township 37 North, Range 9 West, of the 2nd Principal Meridian, in the City of Gary, Lake County, Indiana bounded as follows: On the west by west line of said Government Lot 3; on the north by a line 100 feet south of and parallel to the north line of the southwest quarter of said section, on the easterly side by the westerly and southwesterly line of the Elgin, Joliet and Eastern Railway Company's right-of-way, as now located, and on the southerly side by the northerly bank of the Grand Calumet River.